

## Message Text

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PAGE 01 STATE 027026

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ORIGIN L-03

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-11 RSC-01

IO-14 OIC-04 CIAE-00 DODE-00 PM-07 H-03 INR-10

NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15

SAM-01 ACDA-19 NIC-01 OMB-01 /191 R

DRAFTED BY L: GHALDRICH

APPROVED BY L: GEORGE H. ALDRICH

EA - MR. STEARNS

EA/VN - MR. WENZEL

AF/RA - MR. WALKER (DRAFT)

NEA/RA - MR. CHASE (DRAFT)

EUR/WE - MR. LEDSKY (DRAFT)

EUR - MR. RENDAHL (SUBS)

IO/UNP - MR. SYLVESTER (DRAFT)

ARA/LA/USOAS - MR. POOLE (SUBS)

----- 111832

R 082327Z FEB 74

FM SECSTATE WASHDC

TO ALL EAST ASIAN AND PACIFIC DIPLOMATIC POSTS

ALL AMERICAN REPUBLIC DIPLOMATIC POSTS

ALL NATO CAPITALS

AMEMBASSY ABIDJAN

AMEMBASSY ACCRA

AMEMBASSY ADDIS ABABA

AMEMBASSY MONROVIA

AMEMBASSY NAIROBI

AMEMBASSY MASERU

AMEMBASSY MBABANE

AMEMBASSY GABORONE

AMEMBASSY BLANTYRE

AMEMBASSY PORT LOUIS

AMEMBASSY KIGALI

AMEMBASSY TEHRAN

AMEMBASSY ISLAMABAD

AMEMBASSY JIDDA

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PAGE 02 STATE 027026

AMEMBASSY AMMAN

AMEMBASSY COLOMBO  
AMEMBASSY ANKARA  
AMEMBASSY NICOSIA  
AMEMBASSY ATHENS  
AMEMBASSY TEL AVIV  
AMEMBASSY BEIRUT  
AMEMBASSY NEW DELHI  
AMEMBASSY VIENNA  
AMEMBASSY HELSINKI  
AMEMBASSY MADRID  
AMEMBASSY DUBLIN  
AMEMBASSY STOCKHOLM  
AMEMBASSY VALLETTA  
INFO AMEMBASSY BERN  
USMISSION GENEVA  
USMISSION USUN NEW YORK

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E.O. 11652: N/A

TAGS: PARM, ICRC, VN, OAU

SUBJECT: ATTENDANCE OF PRG AND VARIOUS NATIONAL LIBERATION  
MOVEMENTS AT FEBRUARY 1974 GENEVA CONFERENCE ON  
THE LAW OF WAR

1. ON FEBRUARY 20 SWISS GOVERNMENT, AS DEPOSITORY OF 1949  
GENEVA CONVENTIONS, WILL CONVENE DIPLOMATIC CONFERENCE ON  
LAW OF WAR. PURPOSE OF CONFERENCE IS TO DEVELOP AND ADOPT  
PROTOCOLS SUPPLEMENTING AND BRINGING UP TO DATE GENEVA  
CONVENTIONS. ALL PARTIES TO CONVENTIONS AND ALL UN  
MEMBERS ARE INVITED. IT IS ANTICIPATED THAT AT LEAST  
85 COUNTRIES WILL ATTEND, INCLUDING ALL ADDRESSEES OF THIS  
MESSAGE.

2. CONFERENCE HAS MUCH DIFFICULT WORK TO DO IF HUMANITARIAN  
AIMS OF 1949 CONVENTIONS ARE TO BE ADVANCED, BUT SEVERAL  
RECENT DEVELOPMENTS HAVE CREATED SERIOUS RISK THAT POLITICAL  
ISSUES WILL DELAY OR EVEN PREVENT CONFERENCE FROM GETTING  
DOWN TO SUBSTANCE. MOST SERIOUS PROBLEMS ARE DEMANDS THAT  
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PAGE 03 STATE 027026

PROVISIONAL REVOLUTIONARY GOVERNMENT OF SOUTH VIETNAM BE  
INVITED AS PARTY TO GENEVA CONVENTIONS, AND INSISTENCE OF  
AFRICANS THAT LIBERATION MOVEMENTS BE INVITED AS "FULL  
PARTICIPANTS." USG CONSIDERS QUICK AND SATISFACTORY  
DISPOSAL OF THESE ISSUES IMPORTANT FOR SUCCESS OF CONFERENCE  
AND AS ANOTHER TEST OF WHETHER IT STILL POSSIBLE FOR  
UNIVERSAL FORUM TO MAKE PROGRESS IN DEVELOPMENT OF INTER-

NATIONAL LAW.

3. WITH RESPECT TO PRG, USG POSITION IS WELL KNOWN. PRG IS NOTHING BUT A FRONT CREATED BY NORTH VIETNAM. PRG IS NOT A STATE AND HAS NO VALID CLAIM TO LEGITIMACY. IT DOES NOT HAVE A CAPITAL, CONTROLS BUT A SMALL PERCENTAGE OF THE POPULATION, AND HAS NONE OF THE OUTWARD MANIFESTATIONS COMMONLY ASSOCIATED WITH ANY LEGITIMATE GOVERNMENT. GOVERNMENT OF REPUBLIC OF VIETNAM AND DEMOCRATIC REPUBLIC OF VIETNAM, AS PARTIES TO GENEVA CONVENTIONS, HAVE BOTH BEEN INVITED TO CONFERENCE, BUT PRG FOR ABOVE REASONS IS NOT A STATE AND SHOULD NOT, REPEAT NOT, BE INVITED. USG HOPES ALL ADDRESSEE POSTS' HOST GOVERNMENTS WILL ATTEND CONFERENCE AND WILL INSTRUCT THEIR REPRESENTATIVES TO OPPOSE INVITATION TO PRG.

4. WITH RESPECT TO AFRICAN LIBERATION MOVEMENTS, SWISS GOVERNMENT RECENTLY PROPOSED TO OAU THAT IT WOULD BE FREE TO INCLUDE REPRESENTATIVES OF THOSE MOVEMENTS IT RECOGNIZES IN ITS OBSERVER DELEGATION AND THAT THESE REPRESENTATIVES WOULD BE FREE TO IDENTIFY THEIR MOVEMENTS WHEN THEY SPOKE. OAU REJECTED THIS PROPOSAL AND SAID EACH RECOGNIZED MOVEMENT MUST BE INVITED IN ITS OWN NAME AS "FULL PARTICIPANT." AS RESULT, SWISS GOVERNMENT WILL APPARENTLY LEAVE QUESTION OF INVITATION TO AFRICAN LIBERATION MOVEMENTS TO THE CONFERENCE. PALESTINE LIBERATION ORGANIZATION HAD PREVIOUSLY AGREED TO ATTENDANCE AS PART OF OBSERVER DELEGATION OF ARAB LEAGUE, ALTHOUGH THIS COULD CHANGE IF AFRICAN MOVEMENTS OBTAIN GREATER STATUS.

5. USG HOPES ALL ADDRESSEE POSTS' HOST GOVERNMENTS AGREE THAT IT IS OUT OF THE QUESTION TO GRANT LIBERATION MOVEMENTS EQUAL STATUS WITH STATES PARTY TO THE GENEVA CON-  
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PAGE 04 STATE 027026

VENTIONS, INCLUDING VOTING RIGHTS. ASIDE FROM SWISS PROPOSAL FOR ATTENDANCE AS PART OF OAU DELEGATION (UNDER RULE 59 OF CONFERENCE PROVISIONAL RULES OF PROCEDURE) USG WOULD BE PREPARED TO ACCEPT ATTENDANCE OF AFRICAN LIBERATION MOVEMENTS AS OBSERVERS UNDER RULE 60, WHICH COVERS NON-GOVERNMENTAL ORGANIZATIONS. FYI: RULE 59 ALLOWS PARTICIPATION WITHOUT RIGHT TO VOTE IN DELIBERATIONS OF THE CONFERENCE AND ITS MAIN COMMITTEES. RULE 60 ALLOWS MORE RESTRICTED PARTICIPATION, WITHOUT RIGHT TO VOTE, IN DELIBERATIONS OF CONFERENCE AND MAIN COMMITTEES ONLY ON PROBLEMS RELATING TO ORGANIZATION'S SPHERE OF ACTIVITY AND ONLY ON SPECIFIC DECISION OF CONFERENCE OR COMMITTEE. END FYI. WE URGE ADDRESSEE POSTS' HOST GOVERNMENTS TO INSTRUCT THEIR REPRESENTATIVES AT CONFERENCE TO OPPOSE EFFORTS BY LIBERATION MOVEMENTS

TO OBTAIN UNPRECEDENTED STATUS AT EXPENSE OF SUBSTANTIVE,

HUMANITARIAN WORK OF CONFERENCE AND TO SUPPORT  
REASONABLE SETTLEMENT BY WHICH NON-VOTING PARTICIPATION  
EITHER AS PART OF OBSERVER DELEGATION OF REGIONAL ORGA-  
NIZATION OR AS SEPARATE "NON-GOVERNMENTAL" ORGANIZATION  
IS ACCORDED.

6. FOR WESTERN EUROPE, NEA AND ARA POSTS: REQUEST YOU  
MAKE STRONG AND APPROPRIATELY HIGH LEVEL DEMARCHE ON  
BOTH PRG AND AFRICAN LIBERATION MOVEMENT MATTERS.

7. FOR AF POSTS: REQUEST DEMARCHE BE LIMITED TO PRG ISSUE  
AND ONLY IF YOU BELIEVE THIS WOULD BE PRODUCTIVE.

8. FOR EA POSTS: REQUEST DEMARCHE ON AFRICAN LIBERATION  
MOVEMENT ISSUE AND ALSO, IF YOU BELIEVE NECESSARY AND  
PRODUCTIVE, ON PRG ISSUE.

9. FOR SAIGON: PLEASE INFORM GVN OF THIS COURSE OF ACTION.

10. FOR ALL POSTS: TIME DEADLINE FOR APPROPRIATE INSTRU-  
CTIONS IS MEETING OF HEAD OF DELEGATIONS TO CONFERENCE  
SCHEDULED BY SWISS FOR FEBRUARY 18 TO CONSIDER SUCH ISSUE  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW, WAR, HUMAN RIGHTS, COALITION GOVERNMENT, WAR CRIMES, PARAMILITARY FORCES, GENEVA CONVENTIONS, DIPLOMATIC PERSONNEL, FOREIGN POLICY POSITION, MEETINGS, MEETING DELEGATIONS, REPRESENTATION AT CEREMONIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 08 FEB 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974STATE027026  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** GHALDRICH  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740244/aaaabpna.tel  
**Line Count:** 193  
**Locator:** TEXT ON-LINE  
**Office:** ORIGIN L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 20 MAR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <20 MAR 2002 by garlanwa>; APPROVED <01 MAY 2002 by golinofr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ATTENDANCE OF PRG AND VARIOUS NATIONAL LIBERATION MOVEMENTS AT FEBRUARY 1974 GENEVA CONFERENCE ON  
**TAGS:** PARM, VS, VN, XA, OAU, ICRC, PRG  
**To:** EA POSTS MULTIPLE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005